

Instructions for Divorce – Without Children

(Packet contains: Civil Information Sheet - Petition – Appearance – Decree – Legal Services Handout)
Read Directions Completely – Please Type or Print Neatly

Caution: Use of forms without the assistance of a lawyer could harm your legal rights. You may want to have a lawyer review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

1. Petitioner: Complete the Civil Information Sheet and Petition except for the case and court numbers. (Paragraph 7 may be omitted).
2. Sign the Petition in front of a Notary.
3. File the original and 2 copy with the Clerk of the District Court (2nd floor of the courthouse) The filing fee is \$106 plus a \$5 surcharge for a total of \$111. It can be paid by money order, Cashier's check or cash.
4. Obtain case and court numbers from the Clerk of the District Court when you file.
5. Notify Respondent (spouse) by providing copy of Petition by: waiver, sheriff's service, or mail
 - a) By Waiver: Respondent completes the Entry of Appearance and Waiver of Service and signs it in front of a Notary. If the Respondent is given a copy of the Petition before it is filed he/she may complete and sign (notarized) the Entry of Appearance and Waiver of Service and it may be filed at the same time as the Petition.

or
 - b) By Sheriff's Service: Complete a Request and Service Instruction Form provided by the Clerk of the District Court. File it along with a \$5.00 check payable to (Name of County where service will take place) County Sheriff's Office. The Clerk will issue the paperwork to the Sheriff's Office.

or
 - c) By Mail: Mail the Petition by certified mail – return receipt requested. The form: Return of Service for Certified Mail, **must** be filed with the Clerk of the District Court after service by certified mail (green card) is returned to you.
6. Contact the Administrative Assistant for the court to which the case has been assigned, and obtain a date and time for a hearing before the court.
7. Complete the Decree of Divorce and bring it with you to the hearing for the judge to sign.
8. Obtain a Certificate of Divorce from the Clerk of the District Court.
9. Make at least two copies of the signed Decree. File the original Decree, the Certificate of Divorce and at least two copies of the Decree with the Clerk of the District Court.
10. Send one copy of the file stamped Decree to the Respondent and keep a copy for your records.

Exhibit A



For Office Use Only

CIVIL INFORMATION SHEET

The civil information sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the civil docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

NATURE OF SUIT (Place an X in one box only – If the case involves more than one of the following categories, indicate the category having the highest dollar value)

CIVIL If a CH. 61: \$ _____ (Judgment Demand Amount)			
TORT	CONTRACT	REAL PROPERTY	STATE TAX WARRANT
Asbestos Product Liability	Buyer Plaintiff	Eminent Domain	
Automobile Tort	Employment Dispute - Discrimination	Mortgage Foreclosure	
Intentional Tort	Employment Dispute - Other	Other Real Property	
Legal Malpractice	Fraud		
Medical Malpractice	Landlord/Tenant - Unlawful Detainer	MISCELLANEOUS	
Other Professional Malpractice	Landlord/Tenant Dispute – Other	60-1507	
Premises Liability	Seller Plaintiff (debt collection)	Habeas Corpus	
Slander/Libel/Defamation	Other Contract	Other Writs	
Tobacco Product Liability			
Toxic/Other Product Liability	CIVIL APPEALS	OTHER CIVIL	
Other Tort	Administrative Agency		
	Other Civil Appeal	SMALL CLAIMS	

DOMESTIC

MARRIAGE DISSOLUTION/DIVORCE	PROTECTION FROM ABUSE	PROTECTION FROM STALKING	UIFSA
OTHER DOMESTIC RELATIONS	NON-DIVORCE SUPPORT, CUSTODY OR VISITATION	PATERNITY	

PROBATE/ESTATE

GUARDIAN /CONSERVATOR	DETERMINATION OF DESCENT	ELDER ABUSE	ADOPTION
Conservatorship/Trusteeship			
Guardianship – Adult	SEXUALLY VIOLENT PREDATOR	OTHER PROBATE / ESTATE	
Guardianship - Minor			
Guardian/Conservator – Adult	DECEDENT ESTATE	CARE AND TREATMENT	
Guardian/Conservator - Minor			

JURY DEMAND YES (Check yes only if jury demand is included in petition or as a separate pleading) NO

SUMMONS ATTACHED: YES NO

SERVICE BY: PROCESS SERVER/ATTORNEY SHERIFF IN STATE _____ County SHERIFF OUT OF STATE _____ State

SHERIFF'S PROCESS FEE ATTACHED YES NO

PLAINTIFF / SUBJECT INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____
PHONE: _____ **SEX:** _____
SSN: _____ **DOB:** _____
DL OR STATE ID NO: _____
State and Number

DEFENDANT / OTHER PARTY INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____
PHONE: _____ **SEX:** _____
SSN: _____ **DOB:** _____
DL OR STATE ID NO: _____
State and Number

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

ATTORNEYS (if known)

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:

(Name)	(Date of Birth)	(Social Security Number)
_____	_____	_____
_____	_____	_____
_____	_____	_____

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the

ADDITIONAL CIVIL PARTY INFORMATION

PLTF/SUB/DEF/OTHER PTY INFORMATION (CIRCLE ONE)
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

PLTF/SUB/DEF/OTHER PTY INFORMATION (CIRCLE ONE)
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

PLTF/SUB/DEF/OTHER PTY INFORMATION (CIRCLE ONE)
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

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(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

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ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
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State and Number

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NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:

(Name) (Date of Birth) (Social Security Number)

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

In the Matter of the Marriage of

(Name of Spouse Filing)
and

Case No. _____
Court No. _____
Chapter 60D

(Name of Other Spouse)

PETITION FOR DIVORCE (without children)

The Petitioner states:

1. Petitioner is now and has been a resident in the state of Kansas for more than sixty days before this Petition is filed.

2. Respondent is now living at: _____
_____(street address), _____ (city),
_____ (state).

3. Petitioner and Respondent were married on the following date:
_____, ____ (marriage date and year) in the following city and
state: _____,
and have been married since that date.

4. Petitioner and Respondent should be divorced because they are incompatible, and they are no longer able to live together.

5. Petitioner and Respondent do not now have any children born of their marriage who are under the age of eighteen (18) years and the Wife is not pregnant at the time this Petition is filed.

6. During their marriage, Petitioner and Respondent have obtained property and debt that should be distributed between Petitioner and Respondent as they may agree, or as the court may decide if the parties cannot agree.

7. Petitioner requests that Wife be restored to the following last name: _____.

WHEREFORE, Petitioner prays that upon final hearing Petitioner be granted a divorce, that the property and debt of the parties be distributed between them and that the court issue such other orders as are appropriate.

Name:
Address 1:
Address 2:
City, State, Zip:
Telephone Number:

PETITIONER PRO SE

VERIFICATION

STATE OF Kansas)
COUNTY OF JOHNSON) ss.

I swear or affirm that I am the Petitioner in this case and that the statements made in this Petition are true.

Petitioner

SUBSCRIBED AND SWORN to before me, a Notary Public, this _____ day of _____, 20____.

N O T A R Y P U B L I C

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

In the Matter of the Marriage of

(Name of Spouse Filing)
and

Case No. _____
Court No. _____
Chapter 60D

(Name of Other Spouse)

ENTRY OF APPEARANCE AND WAIVER OF SERVICE

COMES NOW the Respondent and voluntarily enters an appearance in this action. Respondent states that service of summons is waived and that Respondent acknowledges receipt of the Petition filed in this case, together with a copy of the proposed Decree of Divorce. Respondent agrees that this divorce action may be heard by the court without any further notification to Respondent.

Name:
Respondent
Address 1:
Address 2:
City, State, Zip:
Telephone Number:

ACKNOWLEDGEMENT

STATE OF)
COUNTY OF) ss.

BE IT REMEMBERED that on this ____ day of _____, 20____, before me a Notary Public in and for said County and State, personally appeared _____, to me known to be the identical person who executed the foregoing instrument and acknowledged to me that s/he executed the same as a voluntary act and deed for the uses and purposes therein set forth. **IN WITNESS WHEREOF**, I have set my hand and affixed my seal, the day and year last above written.

Notary Public

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

In the Matter of the Marriage of

(Name of Spouse Filing)
and

Case No. _____
Court No. _____
Chapter 60D

(Name of Other Spouse)

DECREE OF DIVORCE

(TITLE TO REAL ESTATE INVOLVED)
(NO CHILDREN)

NOW THIS _____ day of _____, 20____, the above matter comes before the Court for final hearing. Petitioner appears in person, pro se. Respondent, appears (not)(in person)(by counsel).

Thereupon Petitioner presents evidence and testimony to the court. The court, having considered the pleadings filed, having heard the evidence presented, and otherwise being duly advised, makes the following findings:

1. Petitioner was a resident of the State of Kansas for more than sixty days before the Petition for Divorce was filed.

2. This court has jurisdiction over the parties to and the subject matter of this divorce matter. More than sixty days have elapsed since the filing of the petition.

3. Petitioner and Respondent were married on the following date: _____, _____ (marriage date and year) and have been married since that date.

4. Petitioner and Respondent are incompatible and they are hereby divorced on that ground.

5. Petitioner and Respondent do not now have any children born of their marriage who are under the age of eighteen (18) years and the Wife is not pregnant at the time this Petition is filed.

6. The parties have entered into a (written settlement agreement, marked as Exhibit 1)(an oral settlement agreement the terms of which are stated on the record).

7. The parties' agreement has been reviewed by the Court and the Court determines that the parties' agreement is valid, just, and equitable and the agreement is approved by the Court.

8. Petitioner shall have as Petitioner's sole and separate property, all of Petitioner's personal papers and clothing and any other property in possession of the Petitioner, and the following items now in the possession of Respondent:

9. Respondent shall have as Respondent's sole and separate property, all of Respondent's personal papers and clothing and any other property in possession of the Petitioner, and the following items now in the possession of Petitioner:

10. Each party is responsible for the debts held in his or her own name, and shall hold the other harmless, except the following:

Debts to be paid by Petitioner:

Debts to be paid by Respondent:

11. Each party shall hold the other harmless from any and all debts incurred on any property assigned to that party.

12. The parties own a house or land at the following address with the following legal description (if none, state "NONE"):

13. The house or land is to be assigned to [Petitioner][Respondent], who will be responsible for payment of the mortgage loan and will hold the other party harmless on that debt.

14. Neither Petitioner nor Respondent have requested the payment of spousal support and neither party shall receive spousal support from the other.

15. [Petitioner][Respondent] is restored to the former last name of

_____.

16. The parties are prohibited from contracting marriage with any third person until thirty (30) days from the entry of this Decree, unless an appeal is taken, and then until the receipt of the mandate from the Appellate Courts of the State of Kansas in accordance with K.S.A. 60-2106(c). Any marriage contracted before the expiration of that period shall be voidable unless both Parties waive appeal.

17. The costs of the action are taxed against the deposit made.

IT IS SO ORDERED.

Judge of the District Court

Submitted by:

Name:
Address 1:
Address 2:
City, State
Telephone:

PETITIONER PRO SE

Name:
Address 1:
Address 2:
City, State
Telephone:

RESPONDENT